

1 The Honorable Benjamin H. Settle
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON, AT TACOMA

10 Ursula U. Schanne and Gerard H. Moore,

Case No.: 3:10-cv-05753-BHS

11 Plaintiffs,
12 v.

JOINT STATUS REPORT AND
DISCOVERY PLAN

13 Nationstar Mortgage LLC,

14 Defendants.

15
16 **JOINT STATUS REPORT AND DISCOVERY PLAN**

17 Plaintiffs, Ursula U. Schanne and Gerard H. Moore (collectively "Plaintiffs") and
18 Defendant Nationstar Mortgage LLC ("Nationstar") hereby submit this Joint Status Report and
19 Discovery Plan in accordance with the Court's Order.

20 1. Statement of the Nature and Complexity of Case.

21 **Plaintiffs Version:**

22 Plaintiffs pro se petition, essentially alleges, Nationstar has no proper claim; they
23 are not the lender and have no valid security interest in the real property.
24 Nationstar's interest in this matter, stand under culpable actions at best.

25 **Nationstar's Version:**

26 Plaintiffs pro se complaint in general terms appears to allege claims against
27 Nationstar and other unnamed defendants that include a general challenge to the
28 non judicial foreclosure process and the workings of the entire real estate loan
industry, improper monetizing of the loan, fraud related to the origination of the
loan, failure to comply with the Truth In Lending Act, Conversion, and Quiet

1 Title. Additionally, Plaintiffs raise allegations of fraudulent security, predatory
2 lending tactics and conspiracy.

3 2. Results of FRCP 26(f) conference.

4 All parties agreed to a proposed discovery plan.

5 3. Deadline for Joining Additional Parties.

6 Plaintiffs believe that all parties necessary to litigate this action have been named.
7 However, Plaintiffs reserve the right to join additional parties as discovery
proceeds.

8 4. Statement of ADR.

9 All parties agree that no ADR method will be used for this case.

10 5. When ADR Should Take Place.

11 Not applicable.

12 6. Proposed Discovery Plan.

13 **Plaintiffs:**

14 A. The FRCP 26(f) Conference took place between the parties on June 16,
15 2011. The parties will exchange Initial Disclosures in accordance with the
16 Federal Rules within 14 days after the Rule 26 (f) conference or June 30,
17 2011.

18 B. The subjects on which discovery may be needed and whether discovery
19 should be conducted in phases or be limited to or focused upon particular
issues:

20 Plaintiffs stood under the following at FRCP 26(f) Conference:
21 jurisdiction/standing, conducted in phases, unlimited issues.

22 Plaintiffs intend to conduct discovery on the following issues:
23 The claims in Plaintiff's petition.

24 C. What changes should be made in the limitations on discovery imposed
25 under the Federal and Local Civil Rules, and what other limitations should
be imposed:

26 Plaintiffs stood under the following at FRCP 26(f) Conference: Remove
27 the limitation of the number and nature of questions that can be asked by
the plaintiff and mandate that ALL questions be answered under penalties
28 of perjury as true, correct, complete and not meant to mislead.

1 D. A statement of how discovery will be managed so as to minimize expense:
2 ALL questions to be answered immediately as true, correct, complete and
3 not meant to mislead, so the truth can be discovered in a timely manner
4 with minimal cost to the court.
5 E. Any other orders that should be entered by the Court under FRCP 26 or
6 under local Rule 16(b) and (c):
7 None at present.

8 Nationstar:

9 A. The FRCP 26(f) Conference took place between the parties on June 16,
10 2011. The parties will exchange Initial Disclosures in accordance with the
11 Federal Rules within 14 days after the Rule 26 (f) conference or June 30,
12 2011.
13 B. The subjects on which discovery may be needed and whether discovery
14 should be conducted in phases or be limited to or focused upon particular
15 issues:
16 The parties agree that discovery does not need to be conducted in phases.
17 Plaintiffs intend to conduct discovery on the following issues:
18 The claims in Plaintiff's complaint.
19 C. What changes should be made in the limitations on discovery imposed
20 under the Federal and Local Civil Rules, and what other limitations should
21 be imposed:
22 The parties agree that no changes should be made in the limitations on
23 discovery imposed under the Federal Rules and that no special discovery
24 limitations should be imposed.
25 D. A statement of how discovery will be managed so as to minimize expense:
26 The parties have agreed to exchange initial disclosures and then proceed to
27 formal discovery in accordance with the civil rules.
28 E. Any other orders that should be entered by the Court under FRCP 26 or
 under local Rule 16(b) and (c):
 None at present.

1 7. The Date By Which the Remainder of Discovery Can Be Completed.

2 Discovery should be completed pursuant to FRCP and the local rules, 120 days
3 prior to the trial date.

4 8. Whether There is Agreement to a Magistrate.

5 The parties do not agree to the appointment of a full-time Magistrate.

6 9. Whether The Case Should Be Bifurcated.

7 The case will not need to be bifurcated.

8 10. Whether Pre-Trial Statements and Pre-Trial Order Should be Dispensed With.

9 The parties are not willing to waive pretrial statements and a pretrial order.

11 11. Any Other Suggestions for Shortening or Simplifying the Case.

12 None at present.

13 12. The Date the Case Will be Ready for Trial.

14 Trial should be scheduled in accordance with the FRCP and local rules, but in any
15 event no sooner than June 2012.

16 13. Whether the Trial Will Be Jury.

17 The trial should be a jury trial.

18 14. The Number of Trial Days Required.

19 The Parties estimate that the trial will take 5 days.

21 15. Dates For Consideration of Complications in Setting Trial Date.

22 None at present.

23 16. Designation for Trial

24 The parties agree that this case should not be considered for designation for trial at
25 the Federal Building in Vancouver, Washington.

26 17. Service of Defendants

27 Not applicable.

18. Names, Addresses and Telephone numbers of all trial counsel

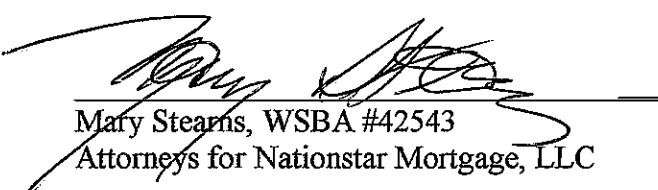
1
2 Ursula U. Schanne, Pro Se
3 Gerard H. Moore, Pro Se
4 16503 Reichel Road Southeast
5 Rainier, Washington near 98576
6 Ph. (360) 446-2121
7 Xercies@aol.com

8 Counsel for Defendant Nationstar

9 McCarthy & Holthus, LLP
10 Mary Stearns
11 Albert Lin
12 19735 10th Ave NE Ste N200
13 Poulsbo, WA 98370-7478
14 Ph. (206) 319-9100
15 Fax: (206) 780-6862
16 mstearns@mccarthyholthus.com
17 alin@mccarthyholthus.com

18 Dated this 23 day of June, 2011.

MCCARTHY & HOLTHUS, LLP


15 Mary Stearns, WSB#42543
16 Attorneys for Nationstar Mortgage, LLC

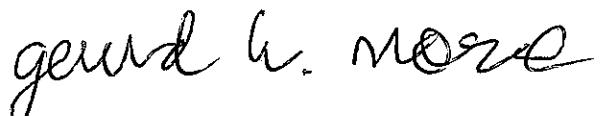
17
18 All Rights and Remedies Reserved Without Prejudice,

19 Dated this ____ day of June, 2011.


20 Ursula U. Schanne

21 Plaintiff, Pro Se, Grantor and Real Party in Interest

22 Dated this ____ day of June, 2011.


23 Gerard H. Moore

24 Plaintiff, Pro Se, Grantor and Real Party in Interest

COPY

1 Respectfully Submitted,

2 All Rights and Remedies Reserved Without Prejudice,

4 By: *Ursula U. Schanne*

5 Ursula U. Schanne, Grantor and Real Party in Interest

6 By:

7 *gerard h moore*

8 Gerard H. Moore, Grantor and Real Party in Interest

10 **JURAT**

11 We, Ursula U. Schanne and Gerard H. Moore do swear and affirm that all statements
12 made herein are true and accurate, in all respects, to the best of our knowledge.

13 Ursula U. Schanne and Gerard H. Moore
14 c/o: 16503 Reichel Road Southeast
15 Rainier, Washington 98576

16 *Ursula U. Schanne*

17 Ursula U. Schanne

18 *gerard h moore*

19 Gerard H. Moore

20 SWORN TO AND SUBSCRIBED BEFORE ME, Shannon Leigh Smith by
21 Ursula Schanne and Gerard H. Moore on the 21 day of June, 2011, which
22 witnesses my hand and seal of office.

24 (Notary Seal)



Shannon Leigh Smith
NOTARY PUBLIC IN AND FOR
THE STATE OF WASHINGTON

28 PROPOSED JOINT STATUS REPORT

CV-10-5753-BHS

1
2 CERTIFICATE OF SERVICE
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5 I certify that on June 23, 2011, I served a copy of the foregoing Joint Status Report and
6 Discovery Plan in the manner specified on the following:
7
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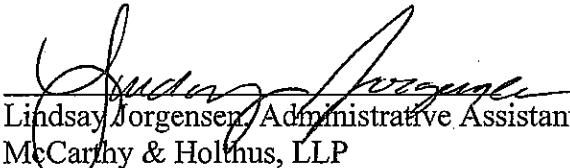
9 Gerard H. Moore
10 16503 Reichel Rd. SE
11 Rainier, WA 98576

12 Ursula Schanne
13 16503 Reichel Rd. SE
14 Rainier, WA 98576

15 Hand Delivery
16 First Class Mail
17 Email
18 Electronic Mail (via e-filing)
19 Fed-Ex (overnight) Tracking No. 794901127378
20 Fax

21 I declare under penalty of perjury under the laws of the United States of America and the
22 State of Washington that the foregoing is true and correct and that this Declaration was executed
23 in Poulsbo, Washington.

24 Dated: June 23, 2011

25 
26 Lindsay Jorgensen, Administrative Assistant
27 McCarthy & Holthus, LLP
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